

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY CASTILLO,

Plaintiff,

-against-

ANTHONY RUSSO,

Defendant.

20-CV-6106 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated August 21, 2020, the Court directed Plaintiff, within thirty days, to submit a prisoner authorization and an amended *in forma pauperis* (“IFP”) application or pay the \$400.00 in fees required to file a civil action in this Court. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not paid the fee or filed a prisoner authorization to authorize installment payments for this action from his prison account.¹ Accordingly, the complaint is dismissed without prejudice for failure to comply with the Court’s order. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal.

Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: October 1, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge

¹ Plaintiff requested an extension of time, and on September 30, 2020, he filed an amended IFP application but did not include a prisoner authorization. (ECF 5.)